

**EXHIBIT 9**

**Dec. 10, 2010 Charles Boerema  
Deposition Excerpts**

1 UNITED STATES DISTRICT COURT

2 FOR THE WESTERN DISTRICT OF MICHIGAN

3 SOUTHERN DIVISION

4 \_\_\_\_\_

5 MELISSA DRAKE,

6 MADELYN DeJUSTO, and

7 DOUGLAS A. SPRINGSTEAD,

8 Plaintiffs, Case No. 1:10-CV-185

9 v. Honorable Robert J. Jonker

10 BRIANNA SCOTT,

11 Defendant.

12 \_\_\_\_\_

13 DEPOSITION OF: CHARLES BOEREMA

14 DATE: December 10, 2010

15 TIME: 9:30 a.m.

16 LOCATION: Rhoades, McKee

17 161 Ottawa Avenue, N.W., Suite 600

18 Grand Rapids, Michigan

19 REPORTER: Kelly M. Kane, RPR, CSR-1470

1 entails the rescued email files, trying to basically  
2 reconnect or reestablish a connection between emails and the  
3 individual -- the users.

4 Q. Now, are emails that go through Microsoft Exchange stored on  
5 the server?

6 A. Yes, in one database.

7 Q. And that's everyone in the office that uses Exchange?

8 A. Correct.

9 Q. And then on January 11th it says, install external hard  
10 drive for backups, map drive for Melissa. Do you see that?

11 A. Yes.

12 Q. Do you know what that means, either based on personal  
13 experience or as an expert?

14 A. From personal experience, the "install external hard drive"  
15 would more than likely be a USB hard drive on the server.

16 I do remember that a main point of grief with that  
17 catastrophic failure was they had no backups. And so we  
18 were really scrambling to try to recover any data that we  
19 could. And so I vaguely remember us encouraging them that,  
20 you need some form of backup, and an external hard drive was  
21 the easiest, cheapest alternative rather than putting in a  
22 tape drive. So that portion of it would be more than likely  
23 an external USB drive physically connected to the server.

24 Q. And would that external USB drive back up the Exchange  
25 emails?